

Former U.S. Army Sergeant Pleads Guilty to Theft of Equipment in Iraq

Written by Nick Sanders
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On June 28, 2011, the U.S. Department of Justice [announced](#) that Robert A. Nelson, age 46, of San Antonio, Texas, had pleaded guilty “to conspiring to steal U.S. Army equipment related to his work as a non-commissioned officer helping to train Iraqi army personnel in Mosul, Iraq, in 2008.” According to the DOJ, Nelson pled to one count of “conspiracy to steal public property”. The DOJ reported that—

Nelson was deployed to Forward Operating Base Diamondback, Iraq, as the non-commissioned officer-in-charge of the Ninewa Operations Command Military Transition Team. This transition team helped train the Iraqi Army units stationed nearby.

While serving in Iraq, Nelson agreed with a U.S. Army translator to steal eight generators from a lot on base that held various pieces of used equipment. Once the generators were taken off the base, the translator arranged for them to be sold on the black market in Iraq. Nelson admitted that he received half of the proceeds of the sales of stolen equipment, with approximately \$35,000 of the money being wired to Nelson’s account by the translator’s brother. In total, Nelson admitted receiving approximately \$44,830 from this scheme.

One thing we noticed in the foregoing is that this case continues the apparent trend of cutting military folks a break. From the DOJ report, it seems pretty clear that Nelson did quite a bit more than “conspire to steal public property.” In fact, he did participate in the actual theft of military equipment from an Army F.O.B. Regardless, he was allowed to plead to what seems to be a lesser offense.

We first noticed—and complained about—this sort of prosecutorial beneficence in [this article](#) about “Captain Mike”—who was convicted of “theft of government property” for stealing nearly \$700,000 in “uncirculated bundles of \$100 bills”. In contrast, we offer

[this tale](#)

of Kellogg, Brown & Root (KBR) who was sued under the False Claims Act “because it was unable to account for materials paid for” under a subcontract with a Turkish company named Yuksel-Reysas. It seems to us like too many (former) military service people are allowed to plead to lesser charges while contractors get the book thrown at them. But perhaps that’s just our bias showing

Former Army Sergeant Nelson faces up to five years in prison plus a fine of up to \$250,000. In

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addition (DOJ reported), Nelson agreed to pay the U.S. Government \$44,830—the amount of his unlawful gain.

Finally, DOJ reported that, “The investigation into this conspiracy continues.” So stay tuned for future related news stories